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Department of State

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1953 JUL 24 PM 12 10

VERBATIM TEXT

SENT TO: AMEMBASSY, TOKIO. 226

FCN Treaty. Text note on Senate reservation follows:

Begin VERBATIM TEXT

With reference to the Treaty of Friendship, Commerce and Navigation between the United States and Japan, signed at Tokyo on April 2, 1953, I have the honor to inform you that the Senate on July 21, 1953, gave its advice and consent to the ratification of the said Treaty in a resolution as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive O, 83d Congress, 1st session, a treaty of friendship, commerce, and navigation between the United States of America and Japan, together with a protocol relating thereto, signed at Tokyo on April 2, 1953, subject to the following reservation, which shall be agreed to by the other high contracting party before ratifications are exchanged:

"Article VIII, paragraph 2, shall not extend to professions which, because they involve the performance of functions in a public capacity or in the interest of public

fied by:	Telegraphic transmission and classification approved by:
arances: EDT:CP:VGSetser:hc 7/23/53	V. G. Setser

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public health and safety, are state-licensed an reserved by statute or constitution exclusively to citizens of the country, and no most-favored-nation clause in the said treaty shall apply to such professions."

It will be observed that by this resolution the advice and consent of the Senate to the ratification of the Treaty are given subject to a reservation to the provision that concerns the practice of professions.

It is the hope of my Government that your Government will find acceptable the reservation which the Senate has made a condition of its advice and consent to the ratification of the Treaty. An acknowledgment of this note prior to the exchange of ratifications accepting by direction and on behalf of your Government, the said reservation will be considered as completing the acceptance by the two Governments of that reservation.

End VERBATIM TEXT

Timing of exchange notes may depend Japanese action on treaty, and circumstances may require changes text. Suggest copy be shown appropriate officials immediately to indicate proper procedure. EMB authorized present note officially when Japanese ready, informing DEPT developments.

DULLES